

# UNITED STATES DISTRICT COURT

for

Western District Of Pennsylvania

## Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Robert Howard Winston Case Number: 0315 2:06CR00040-001  
Name of Sentencing Judicial Officer: Garv L. Lancaster, Chief United States District Judge  
Date of Original Sentence: March 30, 2007  
Original Offense: Possession of a Firearm by a Convicted Felon  
Original Sentence: 57 months' imprisonment to be followed by a 3 year term of supervised release  
Type of Supervision: Supervised Release Date Supervision Commenced: remains incarcerated

### PETITIONING THE COURT

- ☐ To extend the term of supervision for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.  
☒ To modify the conditions of supervision as follows:

"You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States Probation Officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition."

FILED  
2010 JAN 15 PM 3:04  
CLERK  
U S DISTRICT COURT

CAUSE

The defendant, Robert Howard Winston, is currently serving a 57-month period of imprisonment and is designated to FCI Elkton. The United States Probation Office for the District of Nevada has provisionally accepted him for supervision following release from the custody of the Bureau of Prisons. However, in light of the nature of the instant offense, that district requests the Court impose the aforementioned search condition. The defendant is agreeable to this modification and has affixed his signature to the attached waiver form, which permits the Court to add said condition without a hearing. It is noted that the defendant will likely enter a residential re-entry center for 180 days prior to his ultimate release from the custody of the Bureau of Prisons, which should occur on or about September 23, 2010.

I declare under penalty of perjury that  
the foregoing is true and correct.

Respectfully submitted,

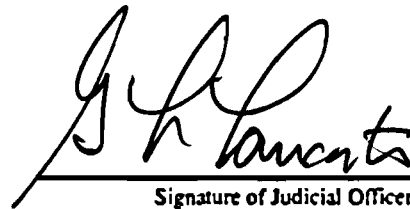
by



Eric S. Lawson  
United States Probation Officer  
Date: January 14, 2010

THE COURT ORDERS:

- ☐ No action.
- ☐ The extension of supervision as noted above.
- ☐ The modification of conditions as noted above.
- ☐ Other



Signature of Judicial Officer

1/19/10

Date

UNITED STATES DISTRICT COURT

Western District of Pennsylvania

WESTERN DISTRICT OF PA.

RECEIVED

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

JAN 8 2010

U.S. PROBATION & PRETRIAL  
SERVICES OFFICE

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. Warrantless Search - You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States probation officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

Witness

Case Manager

Signed

Probationer or Supervised Releasee

Date

12-11-09